In the High Court of Punjab and Haryana at Chandigarh.

RSA No.1441 OF 2006
Date of decision:30.07.2007.

Sarjiwan Kumar Bassi ....Appellant.

Versus

Dilbagh Rai ...Respondent

CORAM
HON'BLE MR. JUSTICE PERMOD KOHLI.

Present: Mr. GS Sandhu,Advocate, for the appellant.
Mr.Sarju Puri, Advocate, for the respondent.

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PERMOD KOHLI, J. (ORAL)

This Regular Second Appeal is directed against the judgment and decree dated 28.11.2005 passed by the learned Additional District Judge, Nawanshahr, dismissing the appeal of the present appellant against the judgment and decree dated 07.10.2004 passed by the learned Civil Judge (Senior Division), Nawanshahr.

The entire case of the appellant-defendant is that the amount stated to be paid to the him was for incurring expenditure and was not a loan. It is admitted that the amount of Rs.39000/- was paid by cheque which was duly en-cashed by the appellant on 17.2.1999. It was for the appellant to prove the plea raised by him that the amount was given for the purchase of construction material. This plea of the appellant has not been accepted by the learned Courts below. There is concurrent findings of fact. No substantial question of law is involved in this appeal. Dismissed. No costs.

(PERMOD KOHLI)
JUDGE

July 30, 2007
BLS